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Attorney for Plaintiff  
 MARIE H. KYLE

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

MARIE H. KYLE,	)	CV 09-05187 MEJ
	)	
Plaintiff,	)	<b>STIPULATION FOR ENLARGEMENT</b>
	)	<b>OF TIME FOR DISCOVERY,</b>
-vs-	)	<b>EXPERT DISCLOSURE, MOTIONS</b>
	)	<b>RELATED TO DISCOVERY AND</b>
RITE AID CORPORATION, DOES 1 TO	)	<b><u>DISPOSITIVE MOTIONS</u></b>
10, INCLUSIVE,	)	
	)	<b><u>ORDER THEREON</u></b>
Defendants.	)	
	)	

The parties, by and through their respective counsel of record, hereby stipulate pursuant to Civil L.R. 6-1(b), 6-2 and 7-12 to the following requested changes to the events/deadlines already fixed by the court in this case:

1) That time for expert disclosure be extended to November 1, 2010 from the currently fixed date of July 16, 2010, with disclosure of any rebuttal experts to be by November 15, 2010;

2) That all discovery, including depositions of experts, be extended to be completed by December 15, 2010 in lieu of the current discovery cut-off date of August 10, 2010;

3) That the ADR hearing for early neutral evaluation, currently

1 set for August 23, 2010, be extended so that the hearing takes place  
2 between November 24 - December 15, 2010, at a time therein convenient  
3 to the appointed evaluator;

4 4) That the time for filing of all dispositive motions be  
5 extended to November 12, 2010 from the currently-scheduled date of  
6 September 9, 2010, with the hearing on such dispositive motions be  
7 rescheduled to December 16, 2010 at 10:00 a.m. in Courtroom B on 15<sup>th</sup>  
8 Floor, 350 Golden Gate Avenue, San Francisco, in lieu of the currently  
9 scheduled hearing date of October 14, 2010.

10 In support of these requests to enlarge time, counsel for  
11 plaintiff MARIE H. KYLE and defendant RITE AID CORPORATION declare the  
12 following under penalty of perjury:

13 Discovery completed by the parties to date has revealed the  
14 potential involvement of an additional entity that may have  
15 responsibility for creating/maintaining the conditions on the premises  
16 alleged to have injured plaintiff, and as to its duty to indemnify the  
17 defendant RITE AID; information as to the nature and extent of such  
18 entity's involvement in the circumstances of this case is currently  
19 incomplete, and requires further investigation through subpoena of  
20 documents and depositions of its agents/officers who are persons most  
21 knowledgeable. The entity, doing business as CHECKPOINT SYSTEMS, is  
22 located in the state of New Jersey.

23 If discovery material that needs to be obtained from this entity  
24 establishes that it does bear some responsibility for the injuries  
25 claimed by plaintiff or for indemnity to defendant RITE AID, said  
26 entity will need to be brought into this case as a defendant or cross-  
27 defendant, and be allowed to participate in further discovery of  
28 medical and other witnesses planned to be taken in this case.

1 The foregoing matters cannot be undertaken and concluded within  
2 the times currently fixed by the court for completion of such matters,  
3 and the enlargement of time deadlines as set forth above is requested.

4 There has been one previous time modification in this case, by  
5 stipulation and order of the court entered on April 14, 2010 which  
6 rescheduled the ADR proceeding to August 23, 2010.

7 Except as set forth in the extensions requested above, counsel  
8 for the parties do not anticipate that the remaining matters scheduled  
9 for the case, and particularly the trial date of February 14, 2011  
10 will be affected by granting the extensions requested herein.

11 We respectfully enter these stipulations and declarations on July  
12 7, 2010.

13 /s/ Pano Stephens  
14 PANO STEPHENS  
15 Attorney for Plaintiff  
16 MARIE H. KYLE

17 KELLY, HOCKEL & KLEIN P.C.

18 By: /s/ Anne F. Marchant  
19 ANNE F. MARCHANT  
20 Attorneys for Defendant  
21 RITE AID CORPORATION

22 **ORDER**

23 Pursuant to the foregoing stipulation and declarations, good  
24 cause appearing therefrom,

25 IT IS SO ORDERED.

26 DATED: July 8, 2010

27   
28 United States Magistrate Judge